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9 ATTORNEYS FOR
ORG STRUCTURE INNOVATIONS LLC and
PAUL MORINVILLE

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 ORACLE CORPORATION, a Delaware
14 corporation, and ORACLE AMERICA, INC., a
15 Delaware corporation,

16 Plaintiffs,

17 v.

18 ORG STRUCTURE INNOVATIONS LLC, a
19 Texas limited liability company, and PAUL
MORINVILLE, an individual resident of
Indiana,

20 Defendants.
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Case No. 11-cv-03549-SBA

**STIPULATION AND ORDER
GRANTING JOINT
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL PORTIONS OF
JOINT CASE MANAGEMENT
STATEMENT AND REPORT
PURSUANT TO FED. R. CIV. P. 26(f)**

Hon. Sandra Brown Armstrong

1 PAUL V. MORINVILLE and ORG
2 STRUCTURE INNOVATIONS LLC,

3 Plaintiffs,

4 v.

5 ORACLE CORPORATION and ORACLE
6 AMERICA, INC.,

7 Defendants.
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Case No. 12-cv-00297-SBA

10 ORG STRUCTURE INNOVATIONS LLC,

11 Plaintiff,

12 v.

13 ORACLE CORPORATION and ORACLE
14 AMERICA, INC.,

15 Defendants.
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Case No. 12-cv-00348-SBA

1 WHEREAS Defendant Morinville filed an Administrative Motion to Seal the Complaint in
2 this action on the grounds that it contains confidential information (Dkt. No. 7);

3 WHEREAS the Court issued an Order granting Defendant's Motion to Seal the Complaint
4 and directing that the Complaint be filed under seal (Dkt. No. 10);

5 WHEREAS the Oracle parties do not believe that the Complaint contains any information
6 appropriate for filing under seal and have moved the Court for reconsideration of its Order sealing
7 the Complaint (Dkt. No. 39);

8 WHEREAS Morinville and ORG Structure Innovations, LLC believe that the Complaint
9 does contain confidential information that should be sealed, and that quotations or discussions of
10 that confidential information in other pleadings also should be sealed;

11 WHEREAS portions of the parties' Joint Case Management Statement and Report Pursuant
12 to Federal Rule of Civil Procedure 26(f) refer to the Complaint;

13 WHEREAS in light of the Court's Order sealing the Complaint, Morinville and ORG
14 Structure seek to file under seal those portions of their Joint Case Management Statement and
15 Report Pursuant to Federal Rule of Civil Procedure 26(f) that refer to the Complaint;

16 WHEREAS this action concerns a patent license agreement ("Agreement") that Morinville
17 and ORG Structure contend contains confidential business information and that is subject to a
18 confidentiality agreement;

19 WHEREAS that Agreement has been filed under seal in this action (Dkt. No. 43 Ex. 2);

20 WHEREAS portions of the parties' Joint Case Management Statement and Report Pursuant
21 to Federal Rule of Civil Procedure 26(f) refer to information in the Agreement that Morinville and
22 ORG Structure contend is confidential;

23 WHEREAS Oracle does not believe that its Complaint or the Joint Case Management
24 Statement and Report Pursuant to Federal Rule of Civil Procedure 26(f) contain any information
25 appropriate for filing under seal and has moved this Court for reconsideration of the Order sealing
26 the Complaint, (Dkt. No. 39.), but in light of the Court's Order sealing Oracle's Complaint and out
27 of an abundance of caution, Oracle stipulates to Morinville and ORG Structure's request that
28 portions of the Joint Case Management Statement that cite or refer to the Complaint's allegations be

1 filed under seal.

2
3 ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED that, with the Court's
4 permission, the parties may file under seal in accordance with Civil Local Rule 79-5 those portions
5 of their Joint Case Management Statement and Report Pursuant to Federal Rule of Civil Procedure
6 26(f) that refer to the Complaint or that Morinville and ORG Structure contend refer to confidential
7 information in the Agreement.

8
9 IT IS SO STIPULATED AND AGREED.

10
11 Dated: April 16, 2012

FARNEY DANIELS LLP

12 By: /s/ Steven R. Daniels

Steven R. Daniels

13 800 South Austin Avenue, Suite 200
14 Georgetown, Texas 78626

15 Attorneys for
16 ORG STRUCTURE INNOVATIONS LLC
and PAUL MORINVILLE

17
18 Dated: April 16, 2012

HOGAN LOVELLS US LLP

19 By: /s/ Maren J. Clouse

20 Maren J. Clouse

21 Attorneys for
22 ORACLE CORPORATION
and ORACLE AMERICA, INC.

ORDER

Based on the foregoing, IT IS HEREBY ORDERED that the parties may file under seal in accordance with Civil Local Rule 79-5 those portions of their Joint Case Management Statement and Report Pursuant to Federal Rule of Civil Procedure 26(f) that refer to the Complaint or confidential information in the Agreement.

IT IS SO ORDERED.

DATED: _4/18/12



THE HONORABLE SAUNDRA BROWN ARMSTRONG

United States District Judge

I, Steven R. Daniels, attest that Maren J. Clouse has read and approved this Stipulation and Proposed Order Granting Joint Administrative Motion to File Under Seal and consents to its filing in this action.